UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/834,633 | 04/16/2001 | Mineki Takechi | 1344.1065 | 3908 |

21171 7590 06/21/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

| EXAMINER | |
|---|---|
| ROSEN, NICHOLAS D | |
| **ART UNIT** | **PAPER NUMBER** |
| 3625 | |

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/834,633 | TAKECHI, MINEKI | |
| | Examiner | Art Unit | |
| | Nicholas D. Rosen | 3625 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *16 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-8* is/are rejected.

7)☒ Claim(s) *3* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

Claims 1-8 have been examined.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Avrunin et al. (U.S. Patent 6,523,008) in view of Warris et al. (U.S. Patent 6,604,131). As per claim 1, Avrunin discloses an information analysis system comprising: information analyzing means for analyzing contents-information concerning an investigation target page on the Internet (column 4, lines 18-42; column 5, lines 22-27; column 6, line 25, through column 7, line 36; column 19, line 46, through column 20, line 6); and judging the factuality and reliability of said investigation target page based on the analysis result of said information analyzing means (column 4, lines 18-42; column 5, lines 22-27; column 6, line 25, through column 7, line 36; column 19, line 46, through column 20, line 6). Avrunin does not expressly disclose ranked value calculating means for calculating a ranked value indicating the factuality and reliability of said investigation target page, except in the sense that by making a decision, Avrunin's system ranks a target page as passing or failing, but Warris teaches ranking Internet pages in more detail (column 2, lines 6-17; column 4, line 18, through column 5, line 5).

Hence, it would have been obvious to one of ordinary skill in the art of computer network applications at the time of applicant's invention to have the system include ranked value calculating means for calculating a ranked value indicating the factuality and reliability of said investigation target page, based on the analysis result of said information analyzing means, for the obvious advantage of conveniently and understandably providing information on the factuality and reliability of the investigation target page.

As per claim 2, Avrunin discloses that a user designates the investigation target page (column 11, line 57, through column 12, line 5; column 15, lines 13-26).

As per claim 6, Avrunin does not disclose a database for storing ranked values, but Warris teaches this (column 4, lines 15-18); and also information disclosing means for disclosing the ranked value stored in said database (Figures 9 and 11; column 9, lines 25-36; column 11, line 55, through column 12, line 8). Hence, it would have been obvious to one of ordinary skill in the art of computer network applications at the time of applicant's invention to maintain such a database, and information disclosing means for disclosing the ranked value stored in said database, for the obvious advantage of enabling users of the system to obtain rankings of target pages.

Claims 7 and 8 are closely parallel to claim 1, and held to be unpatentable over Avrunin in view of Warris on essentially the same grounds.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avrunin and Warris as applied to claim 2 above, and further in view of official notice. Neither Avrunin nor Warris discloses guarantee fee determining means for determining a

guarantee fee to be imposed on the user who has designated the investigation target page, or fee imposition detail sending means for sending fee imposition details determined by said guarantee fee determining means to the user who has designated the investigation target page, but official notice is taken that it is well known to charge fees for viewing information and receiving services, and to send fee imposition details (billing information) to those being billed. Hence, it would have been obvious to one of ordinary skill in the art of computer network applications at the time of applicant's invention to have the system comprise guarantee fee determining means and fee imposition detail sending means for sending fee imposition details to the user who had designated the investigation target page, for the obvious advantage of profiting from providing the information analysis.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Avrunin and Warris as applied to claim 1 above, and further in view of official notice. Neither Avrunin nor Warris discloses an information offer receiving means, reward determining means, and reward paying means, etc., according to claim 5, but official notice is taken that it is well known to offer and pay rewards for information. Hence, it would have been obvious to one of ordinary skill in the art of computer network applications at the time of applicant's invention to have the system comprise information offer receiving means, information offer reward determining means, and information offer reward paying means, for the obvious advantage of encouraging people to provide valuable information.

***Allowable Subject Matter***

Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The closest prior art of record, Avrunin et al. (U.S. Patent 6,523,008), discloses information analyzing means for analyzing contents-information concerning an investigation target page on the Internet, the analysis relating to the factuality and reliability of said investigation target page, wherein said investigation target page is designated by a user. Warris et al. (U.S. Patent 6,604,131) teaches ranking Internet pages, as set forth above with regard to claims 1 and 2. However, neither Avrunin nor Warris discloses guarantee data preparing means for preparing ranking guarantee data of said investigation target page, based on the ranked value calculated by ranked value calculating means, or guarantee data sending means for sending the ranking guarantee data to the user who has designated the investigation target page. It is known in general to charge for services performed, and in particular for guarantees (Risen, Jr., et al. (U.S. Patent 6,018,714), discloses charging for a warrantee, in another context), but that is held to be insufficient to make the claimed limitations obvious, given the lack of teaching of ranking guarantee data in Avrunin, Warris, or other analogous art pertaining to ranking or analyzing Internet pages.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fohn et al. (U.S. Patent 6,014,639) disclose an electronic catalog system for exploring a multitude of hierarchies, using attribute relevance and forwarding-checking. Risen, Jr. et al. (U.S. Patent 6,018,714) disclose a method of protecting against a change in value of intellectual property. Kaufman (U.S. Patent 6,240,408) discloses a method and system for retrieving relevant documents from a database. Navin-Chandra et al. (U.S. Patent 6,275,820) disclose a system and method for integrating search results from heterogeneous information resources. Hailpern et al. (U.S. Patent 6,275,937) disclose collaborative server processing of content and meta-information with application to virus checking in a server network. Page (U.S. Patent 6,285,999) discloses a method for node ranking in a linked database.

Tian (U.S. Patent Application Publication 2001/0039563) discloses a two-level Internet search service system. Terheggen (U.S. Patent Application Publication 2002/0073079) discloses a method and apparatus for searching a database and providing relevance feedback.

Ito (Japanese published patent application 11-220492) discloses an Internet facsimile machine with a site reliability judging unit.

The abstracts of articles by Sowards, Schmitt, and Colaric relate to evaluating Web sites.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen whose telephone number is 703-305-0753. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. (Wynn Coggins is currently on assignment elsewhere in the Patent Office; the examiner's acting supervisor, Jeffrey Smith, can be reached at 703-308-3588.) The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Non-official/draft communications can be faxed to the examiner at 703-746-5574.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas D. Rosen
NICHOLAS D. ROSEN
PRIMARY EXAMINER
June 14, 2004